

EXHIBIT 418

SEYFARTH SHAW LLP

Gerald L. Maatman, Jr. (IL SBN 6181016) (*Pro Hac Vice*)

gmaatman@seyfarth.com

Jennifer A. Riley (IL SBN 6272366) (*Pro Hac Vice*)

jriley@seyfarth.com

233 South Wacker Drive, Suite 8000

Chicago, Illinois 60606-6448

Telephone: (312) 460-5000

Facsimile: (312) 460-7000

Justin T. Curley (SBN 233287)

jcurley@seyfarth.com

560 Mission Street, 31st Floor

San Francisco, California 94105

Telephone: (415) 397-2823

Facsimile: (415) 397-8549

Kristina M. Launey (SBN 221335)

klauney@seyfarth.com

400 Capitol Mall, 23rd Floor

Sacramento, California 95814

Telephone: (916) 448-0159

Facsimile: (916) 397-8549

MOORE & LEE, LLP

Erica Rutner (FBN 0070510) (*Pro Hac Vice*)

e.rutner@mooreandlee.com

501 East Las Olas Blvd. Suite 200

Fort Lauderdale, Florida 33301

Telephone: (703) 940-3763

Facsimile: (703) 506-2051

Attorneys for Defendants

BROOKDALE SENIOR LIVING INC.

BROOKDALE SENIOR LIVING COMMUNITIES, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

STACIA STINER, et al.,

Plaintiffs,

v.

BROOKDALE SENIOR LIVING INC. et al.,

Defendants.

Case No. 4:17-CV-03962-HSG (LB)

**DECLARATION OF MATTHEW BUSER
IN SUPPORT OF DEFENDANTS'
RESPONSE IN OPPOSITION TO
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

1 I, Matthew Buser, declare and state as follows:

2 1. I have been employed by United Lex since May 1, 2011. My current title is Director –
3 Document Review, which I have held since April 2019. In this role, I am responsible for, among other
4 things, overseeing teams from United Lex that handle document review and coding projects. Except as
5 otherwise stated, I have personal knowledge of the facts stated in this declaration, and, if called as a
6 witness, I could and would testify competently thereto under oath to these facts.

7 2. United Lex has been retained by Defendants Brookdale Senior Living Inc. and Brookdale
8 Senior Living Communities, Inc. (collectively “Brookdale”) to provide discovery-related services in
9 connection with this action.

10 3. In February 2022, a review team from United Lex working under my supervision
11 (“Review Team”) reviewed, among other things, residency agreements collected from the Residency
12 Agreement System (“RAS”) and ARTIVA platforms, as well as collected in hard-copy format from
13 communities in California.

14 4. As part of their review, the Review Team coded for specific information such as the
15 existence of particular phrases within a residency agreement, the existence and text of any footer
16 language within a residency agreement, and the name of the entity that contracted with the resident in
17 the residency agreement.

18 5. The Review Team reviewed 8,508 signed residency agreements where the resident,
19 representative, or power of attorney did not accept the arbitration provision within the residency
20 agreement.

21 6. The Review Team identified approximately 163 unique entities that contracted with the
22 residents for memory care or assisted living services in the population of 7,767 residency agreements
23 that it reviewed. None of these entities from these 7,767 residency agreements included Brookdale
24 Senior Living Inc. or Brookdale Senior Living Communities, Inc.

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26 [REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
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1 I declare under penalty of perjury under the laws of the United States and the States of California
2 and Kansas that the above is true and correct.

3 Executed on March 3, 2022, in Overland Park, Kansas.
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5 Matthew Buser 3/3/2022
6 Matthew Buser
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